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UNITED STATES DISTRICT COURT
OFFICIAL CERTIFIED TRANSCRIPT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DONNA CURLING, ET AL.,	:	
	:	
PLAINTIFFS,	:	
vs.	:	DOCKET NUMBER
	:	1:17-CV-2989-AT
BRAD RAFFENSPERGER, ET AL.,	:	
	:	
DEFENDANTS.	:	

TRANSCRIPT OF TELEPHONE CONFERENCE PROCEEDINGS

BEFORE THE HONORABLE AMY TOTENBERG

UNITED STATES DISTRICT SENIOR JUDGE

JANUARY 13, 2023

1:02 P.M.

MECHANICAL STENOGRAPHY OF PROCEEDINGS AND COMPUTER-AIDED

TRANSCRIPT PRODUCED BY:

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FOR THE CITY OF ATLANTA:

DAVID LOWMAN

P R O C E E D I N G S

(Atlanta, Fulton County, Georgia; January 13, 2023.)

COURTROOM DEPUTY CLERK: Good afternoon, Judge.
Would you like me to call the case?

THE COURT: Sure. Thank you.

COURTROOM DEPUTY CLERK: Okay. Good afternoon,
everyone.

We're here for the teleconference in the case of
Curling v. Raffensperger, Civil Action Number 17-CV-2989.

Judge, for the state of Georgia, we have Mr. Russo,
Mr. Miller, Mr. Tyson, Mr. Jacoutot, and Mr. Pico Prats
present.

For Fulton County, we have Mr. Lowman.

For the Curling plaintiffs, we have Mr. Cross and
Mr. Knapp and Ms. Price.

And for the Coalition plaintiffs, we have Mr. Brown
and Mr. McGuire.

MR. SPARKS: And Mr. Sparks as well on behalf of the
Curling plaintiffs.

MS. CURLING: And Donna Curling also.

COURTROOM DEPUTY CLERK: Yes, ma'am. Thank you,
Ms. Curling.

THE COURT: All right. This is not going to take
very long. I mean, I understand what the issues are and what
has been raised by the Curling plaintiffs about the large

1 volume of paragraphs -- alleged facts that are alleged to be
2 material and not in dispute.

3 I don't think there is an express requirement that
4 there is a -- that the -- even when I go back and look at my
5 own -- the source sentence that I have in my own version of the
6 local rule and my guidelines that every single paragraph has to
7 be referenced. It is more that the source material has to be.
8 It is certainly the contemplation generally speaking that the
9 material facts -- facts be referenced in the brief so that --
10 that the brief is really in accord with the material facts and
11 that I could -- one could go back and forth and reference them.

12 And I'm sure typically that the material facts are
13 deemed to be a whole supplemental document in sort of like a
14 whole extra set of facts that are not actually discussed. And
15 I think that -- but, you know, this -- none of this is
16 particularly I think in stone in terms of sort of the
17 particular territory that the Curling plaintiffs have explored.

18 I do understand that they view the large volume of
19 paragraphs that are not referenced as being sort of unnecessary
20 for them to have to deal with and a waste of time, et cetera.

21 But I think that the local rules expressly at
22 Page 61 -- and this is at -- where it is dealing with summary
23 judgment practice. And Page 61 at (a)(2), the very bottom,
24 this Court will deem each of the movant's facts as admitted
25 unless the respondent -- and it goes through Number (i), (ii),

1 and (iii). At Roman numeral (iii), it points -- this is sort
2 of -- unless the respondent points out that the movant's
3 citation does not support the fact or that the movant's fact is
4 not material or otherwise has failed to comply with the
5 provision set out in Local Rule 56.1(B)(1).

6 As I understand it at this juncture, what the -- what
7 really is happening is that it appears to me that Mr. Cross'
8 point is that it does not seem that the facts that are in these
9 paragraphs that aren't cited in the brief are actually
10 material.

11 And if that is, in fact, the position of plaintiffs
12 having reviewed them, then that is all you have to do in
13 responding. If you think you're going to rely on them in some
14 way, then you may want to admit them because you do, in fact,
15 think they are material.

16 But for purposes of your response here, I mean, that
17 is -- this sort of seems to me an adequate resolution of the
18 problem that you're saying is before the Court.

19 And maybe you can explain to me why it is not.
20 But -- and I will give you that opportunity, Mr. Cross. But I
21 don't understand why it is not.

22 MR. CROSS: Thank you, Your Honor. This is David
23 Cross.

24 It might be, if I understand what you are saying --
25 and that's why we wanted to have this call is to get clarity.

1 So as we read the local rule, our obligation is to show that we
2 dispute each fact that we, in fact, dispute and to provide
3 evidence showing that.

4 If the only thing that we were to say in response to
5 an individual statement in that statement of facts is we think
6 it is immaterial because it is not cited -- you know, rely on
7 it still -- they don't connect it to the arguments -- if that
8 is the only thing that we said, our fear was, as we read the
9 local rule, and Your Honor were to disagree and say, well,
10 okay, they didn't cite it, but I actually do think it is
11 material, that under the local rule that fact would be deemed
12 admitted by us because we did not offer evidence refuting it to
13 show why it is disputed and why we haven't disputed it. That
14 is sort of where the rubber hits the road.

15 I mean, the team has spent inordinate hours already
16 this week just trying to get our hands around this. And going
17 through 456 individual statements, I cannot -- there is no way
18 to exaggerate the amount of time and cost that is going to
19 take.

20 Let me just give you one quick example to explain
21 why. So a lot of the statements in there, for example, are
22 just -- take Donna Curling. They'll say, Donna Curling
23 testified to X. Put aside that that is not a statement of
24 fact. That is counsel's argument of what she said. But --

25 THE COURT: If she testified in a deposition, why is

1 that a statement -- why is that defense counsel's view of what
2 she said?

3 MR. CROSS: I'm sorry. Say that again, Judge.

4 THE COURT: All right. You know, if, in fact, the
5 statement of material fact repeats what she actually said, why
6 is that in dispute? It may not be a complete rendition of what
7 she said, and you can say that. But is there any reason -- I
8 mean, or do you feel like they are summarizing something she
9 said without it being in quotation marks?

10 MR. CROSS: It is that, Your Honor. What they do is
11 they list snippets. Right? They'll have a phrase from a
12 longer answer or longer colloquy. And they characterize what
13 she said to say that she admitted something. They do this to
14 Dr. Halderman. They do this with lots of different witnesses
15 with plaintiffs.

16 What they represent as a fact that a witness
17 testified to X is not accurate. In many instances, it is not
18 even remotely accurate. And -- but to show that is not simple
19 with many of these situations because it is not as simple as,
20 well, let's pull the testimony, and we'll show the judge here
21 is the full testimony of what she actually said. Here is the
22 colloquy.

23 You know, a lot of the questions and depositions are
24 nonlinear. Right? And so they will list something on Page 12
25 to say she admitted X, but then they came back to it on

1 Page 150 for her to clarify what she said before or correct
2 what she said before. There is context there. And that is not
3 there.

4 And that is an incredible undertaking to keep each
5 and every one of those excerpts because they never just quote
6 like here is her answer. It is always a characterization or
7 nearly always a characterization. And they go through all that
8 and point out, well, that is not quite right.

9 And then you get into harder things where, for
10 example, in the deposition --

11 THE COURT: All right. Let's just deal with this one
12 right now.

13 MR. CROSS: I am. But I just want to give you an
14 example.

15 THE COURT: Right. I just want to deal with example
16 one. All right?

17 So example one -- and you're telling me that they
18 do -- that this is how defense counsel has characterized the
19 response and presented it and also that it is not cited in the
20 brief.

21 MR. CROSS: Correct.

22 THE COURT: That is the larger -- that is what you
23 have written me about is that they are not relying on it in the
24 brief. But --

25 MR. CROSS: Exactly.

1 THE COURT: But they have this. I still don't
2 understand why -- under these circumstances why if you don't
3 think it is, in fact, the -- and you think it is, in fact,
4 something that might be material, then you are obviously -- if
5 it is arguably material, I would obviously -- I would think you
6 would have to respond to it. Because it is going to -- it
7 could come up in your brief. It could come up in their --
8 later on in their reply brief. Because any of that is
9 possible.

10 But if it is just absolutely not -- you don't think
11 it is material -- and you can always assert a materiality
12 objection if it is made in good faith and based on your
13 professional judgment and then still additionally respond to
14 something saying you think it is misleading and that she
15 responds in an additional manner and it is not -- it is out of
16 context.

17 I mean, that is -- you know, that is perfectly
18 acceptable without citing every single other time she's talking
19 about the same issues.

20 MR. CROSS: Right, Your Honor. It wouldn't be citing
21 every other time. But it would be showing how what they have
22 stated as a fact is not accurate.

23 And I mean, our hope when we reached out to
24 defendants was that they would agree that if their
25 statements -- if their allegations or exhibits that they don't

1 rely on in their brief -- that they would just agree that those
2 are not material because if you're not relying on them or at
3 least most of them. But they have been unwilling to agree to
4 that.

5 And so where that puts us is if all we say is: We
6 don't think this is material because they don't rely on it and
7 we don't see any materiality, they are going to come back, I
8 expect -- right? -- and said, well, now you have admitted it
9 because you haven't refuted it. And then we could be in bad
10 shape.

11 But's there 227 allegations that don't appear in any
12 of the briefs. They cite five exhibits across both of their
13 briefs, Your Honor. They literally cite five exhibits in the
14 briefs, which tells you about how these are not Rule 56
15 motions. But just put that to the side.

16 THE COURT: All right. Let me hear from the defense
17 about this last -- what you just said. All right? And then we
18 will go on after that.

19 Why do we have 227 -- why do we have 227 statements
20 that are not actually relied upon? Or not that many. But a
21 substantial number.

22 MR. TYSON: Yes, Your Honor. This is Bryan Tyson.
23 I'll start. And if Mr. Russo or Mr. Miller want to jump in,
24 they are welcome to.

25 I think that, Number 1, we obviously were filing one

1 statement of undisputed material facts with the two briefs.
2 And so I mean, there is going to be a little bit of -- I
3 understand there is going to be some things that in the editing
4 process they ended up in there. I haven't independently
5 calculated or counted whether it is as many as 200-something.

6 But I think that what Your Honor had said is exactly
7 how you would deal with that. I mean, I just think back to
8 Fair Fight. We had over 1000 statements of additional material
9 facts and doing summary judgment on those with the plaintiff in
10 that case and we had to respond to each one. And the issue is
11 is it material or not. You make that statement. If we're not
12 relying on it in a brief, I think Mr. Cross would have a decent
13 argument to say it is not material. And he can make that. And
14 then we kind of go from there.

15 But I guess I'm a little bit at a loss here. I feel
16 like we are almost kind of pre-arguing the motion when in
17 reality it is just follow the local rules is the way to deal
18 with this, if that is the concern, based on the materials, the
19 cites to support the statement. I mean, that is what we do
20 when we file summary judgment motions.

21 THE COURT: Well -- okay. Is there something else
22 you want to say, Mr. Cross, in response?

23 MR. CROSS: I guess I would just put the same
24 compromise that we had offered the defendants before, which
25 sounds like maybe what Bryan is saying. If the defendants will

1 agree that they are not going to argue that we have admitted an
2 allegation that appears only in their statement of undisputed
3 facts by responding simply that it is immaterial so we're at no
4 risk of that -- they are not going to argue that and the Court
5 is not going to deem it admitted -- then this gets easy.
6 Because that will be our response to all of those allegations
7 unless we determine they are material for some reason, like we
8 relied on them.

9 That was the compromise we had hoped would avoid
10 getting in a court of law. If we are agreed on that, then this
11 is easy. But if they are going to reserve the right to come
12 back on reply and say, well, out of these 227 -- and it is 227.
13 We have been carefully through this. It is Appendix A we sent
14 to the Court -- and they are going to come back and say, well,
15 50 of these or a hundred of these -- you have now admitted them
16 because all you said was they are immaterial and now we're
17 going to rely on them, well, that is a problem. Because that
18 means we now have to go through and refute 227. And that is
19 what we're trying to avoid.

20 Again, I have never confronted this in my entire
21 career. I have seen lots of statements of fact. I have never
22 seen one -- a handful have slipped through the cracks. And if
23 that is what we are talking about, we wouldn't be on the phone
24 with you. If it was 20 or 50 -- it is half of 456. This is
25 not small.

1 And it really is an enormous amount of work that the
2 team is going to have to do, Your Honor. It is an enormous
3 amount of work.

4 MR. BROWN: Your Honor, this is Bruce Brown. The
5 Coalition plaintiffs have joined in the Curling submission.

6 To underscore the point that David has been making,
7 there are pages and pages of assertions of undisputed facts
8 relating to Dr. Stark, for example, and the auditing. None of
9 them are cited in either brief -- in either brief. In fact,
10 the word Stark does not even appear in either brief.

11 Yet for us to respond to those, we need to get with
12 Dr. Stark, who is not cheap. I mean, he's very generous with
13 his time. But it is an enormous amount of time to go through
14 pages and pages of assertions that didn't even make it into
15 their brief.

16 I don't know how you can write a brief in this case
17 without using the word Stark. But that is a different issue.
18 But it is just a burden that they put together this statement
19 of material fact without thinking about what they were doing.
20 The same with the exhibits.

21 And we are the ones and the Court is going to be
22 faced with dealing with them not thinking through what they
23 really needed to support their motion for summary judgment.

24 I mean, we will point this out later. But at a
25 deeper level, the motions are really 12(b)(6) motions. They do

1 not identify a single -- single allegation in our -- in either
2 complaint that is refuted by their assertion of facts. Not a
3 single allegation. But that whole thing --

4 THE COURT: All right. Now you're arguing the
5 motion. So --

6 MR. CROSS: Your Honor, this is David Cross. If I
7 could, just to clarify one point. Mr. Tyson said that they had
8 a single statement of facts for both briefs. I do want to be
9 clear. The 227 -- those are statements that do not appear in
10 either brief. It is not just Curling. It is in either brief.
11 They do not appear in any brief that has been submitted to this
12 Court on summary judgment.

13 And the same with the exhibits. They have dozens of
14 exhibits. They literally cite five. They don't cite a single
15 exhibit in the Coalition brief. They cite five.

16 I can't begin to understand how you can file a
17 Rule 56 motion that says the facts don't support your claims
18 and you rely on five exhibits and one another.

19 What that means is they have really just done what
20 the Court has said and what we cited you're not allowed to do
21 is to end run around the page limit and say, well, go look at
22 our statement of undisputed facts and then figure out for
23 yourself, Judge and plaintiffs, how that somehow factors into
24 our arguments and how the exhibits and the allegations there
25 somehow support our arguments.

1 The courts have said that is wrong, we're going to
2 disregard all of that. So, again, the compromise on the table
3 is: If we all agree that we don't have to address any exhibit
4 in any allegation that is not cited in the brief because we all
5 agree those are immaterial, then this is easy, we're done.

6 But if they are going to come back and reply and say,
7 no, no, no, you have admitted all these things by not refuting
8 and then now here's our new argument -- brand-new argument and
9 all of these exhibits and how they support our claims and these
10 allegations, well, that is a problem.

11 The Courts have said we can't do that. So this is --
12 I feel bad we're bothering you, Judge. But I just cannot drive
13 home the amount of work this is going to be. I mean, I have
14 got a team of associates that work really hard. And they are
15 in panic mode because just this week they have only scratched
16 the surface of this. It is an incredible, incredible list to
17 get through --

18 THE COURT: Okay. I view it a little bit
19 differently. I don't know why we have as many as we do that --
20 why the state included such a large volume without even
21 referencing them in the briefs. And that is something, you
22 know, I will think about as I read the briefs.

23 But I just want to remind everyone exactly that the
24 point of summary judgment is, in fact, to help streamline the
25 presentation of the case for the Court's review. And I'm not

1 looking for more work in this case than necessary. I want it
2 to be presented in a streamlined way. And I am not intending
3 to look at the statement of material facts as simply an entire
4 expansion of a brief that should have summarized the evidence
5 that they are relying on.

6 So I don't know what is going on with that. I have
7 not read the brief. We did look at -- the two law clerks
8 involved in the case have looked at the samples and the things
9 that have been left off.

10 I think you are entitled if there is that volume of
11 them to respond that you think something is not material and/or
12 inconsistent with the testimony.

13 And I am not inclined under these circumstances to
14 be -- look favorably on basically a motion to say that they are
15 deemed admitted. But on the other hand, I think both of you
16 know what the evidence is in this case.

17 I am not looking for somebody to go and cite all of
18 the other different pages where there is only one excerpt that
19 has been cited of somebody's testimony, like Ms. Curling. That
20 doesn't make any sense.

21 And if you think it is not material, that is the
22 first layer. If you think it might be material -- in reality
23 material but it is not a fair representation of the facts, then
24 that is what you -- as presented in the -- in her deposition
25 and elsewhere, that is what you state. You don't have to go

1 and cite every other fact to the contrary.

2 I think that we have been in litigation enough that I
3 feel comfortable saying that. And then when you provide your
4 material -- statement of material facts in opposition, you can
5 state -- if you think it is indeed material, then state the
6 corrected version.

7 MR. CROSS: Thank you, Your Honor. That may seem
8 obvious or small. But I will tell you that is incredibly
9 helpful to us just to get comfort that we're not at risk of
10 having things deemed admitted if our response is they are
11 immaterial.

12 THE COURT: But I just would say I think you have to
13 actually look at them. You-all know the case inside out. So
14 if it is material but you just -- it wasn't mentioned in their
15 brief, then I think you likely are going to have to answer it.
16 But it may be the answer is it is that it is not consistent
17 with the rest of the deposition. That it is whatever -- it is
18 inaccurate. And then you either put it there or put it in your
19 contrary position of what -- and you just reference what you do
20 say in your statement of material facts.

21 MR. CROSS: Absolutely. We will do that, Your Honor,
22 and that is really helpful.

23 Could I ask while we are here: Bryan, would you guys
24 be willing to take another look at your list of statement of
25 facts and exhibits and if there are some that you are willing

1 to either withdraw or acknowledge that they are immaterial just
2 send us a list of the numbers on maybe Monday or Tuesday.

3 MR. TYSON: I mean --

4 THE COURT: Well, Monday is MLK Day. No one --

5 MR. CROSS: Tuesday or Wednesday. If you would just
6 take a look and just let us know if there are any.

7 MR. TYSON: I mean, David, I don't expect we are
8 going to change our view of any of that. We can look at it.
9 But just don't expect that we're going to.

10 MR. CROSS: Okay.

11 **(Unintelligible cross-talk)**

12 MR. CROSS: I'm sorry. Go ahead.

13 THE COURT: I'm sorry. Who is talking now?

14 MR. CROSS: This is David Cross.

15 THE COURT: Okay.

16 MR. CROSS: One other procedure question. I think I
17 know the answer to this from the rules.

18 But for exhibits that we have admissibility
19 objections, as I understand the rules, we just put that into
20 our brief or in our response to the statement of facts? You're
21 not looking for a separate motion to strike?

22 THE COURT: No. No.

23 MR. CROSS: Okay. Thank you.

24 THE COURT: I mean, you don't -- you could put it in
25 one paragraph -- the ones that you think are not admissible.

1 But just remember that when -- which I'm sure you do well know
2 that even if -- if it is potentially admissible with other
3 evidence or -- you know, this is particular statements made,
4 even if it is hearsay -- what you've got is hearsay but there's
5 potential -- but it can be made admissible, that is a whole
6 different thing.

7 MR. CROSS: Right. Right. Understood, Your Honor.

8 THE COURT: There was another item you wanted to
9 raise. But I can't remember it at the moment.

10 MR. CROSS: That was the focus. I mean, the more
11 macro task we had -- and I gather from where we're headed with
12 this I know the answer. But we were asking whether Your Honor
13 would be open to deferring the motions till trial as we had
14 asked originally.

15 THE COURT: No. Yes. You inferred correctly. So I
16 have sort of put it outside of my brain.

17 MR. CROSS: I saw the train was headed in that
18 direction, so I wasn't even going to address it.

19 THE COURT: Yeah. You know -- and I guess
20 Ms. Bradley and I in particular can say that we just had to put
21 off a trial for six months, after having denied summary
22 judgment, if it were to go trial that was just such a train
23 wreck. That has taken so much time to basically deal with and
24 now for us to have to say basically go do this, go do that -- I
25 mean, it is still -- and I had to revisit my order and grant

1 summary judgment on some things. And then we had evidentiary
2 messes. And it is just sort of -- no, I don't think so.

3 And, you know, I don't -- and this is a hard area to
4 say the least of the law. So I think even though I respect
5 your view of the things, I think that it is like per se at this
6 moment asking for the state to go and -- go to the Eleventh
7 Circuit and initiate an interlocutory appeal. And that only
8 results in more time being spent.

9 And, you know, they certainly can do that. And, you
10 know, maybe the Eleventh Circuit wouldn't grant their
11 interlocutory appeal, but maybe they would. So then that is a
12 whole other level of briefing and uncertainty and delay. So it
13 doesn't make any sense to me.

14 MR. CROSS: Okay. Yes.

15 THE COURT: I have two great overburdened law clerks
16 who are familiar with the case. And I am determined to get
17 this -- have this team and not a different team working on the
18 motions for summary judgment. And that is the way I can be
19 most efficient.

20 If I delay it further, then, you know, a whole new
21 group of people have to become familiar with the case. And
22 that is just too much weight on me.

23 MR. CROSS: Thank you, Your Honor.

24 MR. BROWN: Thank you, Your Honor. I appreciate the
25 time today.

1 THE COURT: All right. Well, I hope everyone is
2 well. I wish everyone a good New Year.

3 And how is the -- how are the newest babies in the --
4 who have been born in this group?

5 MR. MILLER: Judge, this is Mr. Miller. My son is
6 doing well. He is a lot of fun and thankfully sleeping well.
7 So we're doing well.

8 THE COURT: Good. How old is he now? How many
9 months?

10 MR. MILLER: He's a little over eight months now --
11 be nine months on the 30th.

12 THE COURT: I can't believe it. That is fast. Well,
13 you're at a happy point -- a really happy point. You have
14 broken him in, and he is smiling and moving and entertaining
15 you. That's great.

16 MR. MILLER: Yes, he is a lot of fun.

17 MR. TYSON: Judge, this is Bryan Tyson. We also have
18 another new baby that joined is. Mr. Jacoutot, I think, is on
19 the line.

20 He has a two-week-old now, Bryan?

21 MR. JACOUTOT: Yes. She is two weeks old today.
22 We're still getting that sleep schedule arranged.

23 MR. MILLER: Congratulations.

24 THE COURT: That is marvelous. Mr. Tyson has an
25 incredible crew of kids. So I don't know how he handles all of

1 his responsibilities.

2 But how are they doing?

3 MR. TYSON: They are all doing well, Your Honor.

4 Thank you for asking. Yeah, we have got them all -- they are
5 all in the same school, the same place now. And that helps us
6 out a lot on our family schedule having them all in the same
7 place each day.

8 THE COURT: Well, that's great.

9 MR. CROSS: Judge, we had a new baby when we started
10 this case.

11 THE COURT: Wow. And has the baby graduated yet?

12 MR. CROSS: I think she's voting soon.

13 THE COURT: Voting soon. So how old is she now?

14 MR. CROSS: She's eight. She's eight.

15 THE COURT: Unbelievable. Unbelievable.

16 And did that big trial of yours ever happen? Did it
17 resolve, or what happened?

18 MR. CROSS: No. It got pushed to May unfortunately.
19 We ran into a conflict with a criminal. So it is still on.

20 Thank you for asking.

21 THE COURT: Well, if there are any other exciting
22 developments in people's lives, speak now or forever hold your
23 peace and I'll ask more.

24 But I hope everyone -- I hope everyone is well and
25 you did get some days of the holiday.

1 I had 21 members of my family who we were housing in
2 three houses when we went off on vacation at Christmastime.
3 That was very exciting. But it was pretty wonderful too. With
4 the youngest being 15 months and keeping us up, even though she
5 sleeps at home perfectly fine. But she had an intense case of
6 fear of missing out. So she was having such a good time that
7 she decided that at 4:30 and 5:00 A.M. that people might be up
8 and be happy to be entertained by her. But they weren't.

9 MR. CROSS: Sure.

10 THE COURT: But her father and her mother had to be
11 up or one or the other and go to the beach with her after she
12 had woken everyone else up.

13 But, anyway -- but she was great. And it was a very
14 good time, and it was a wonderful thing to be able to have
15 everyone present.

16 Well, be well, everybody, with MLK Day, and hopefully
17 this will move us more comfortably towards the next stage.

18 All right. Take care.

19 MR. CROSS: Thank you.

20 MR. MILLER: Thank you, Your Honor.

21 **(The proceedings were thereby concluded at 1:32**
22 **PM.)**

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C E R T I F I C A T E

UNITED STATES OF AMERICA

NORTHERN DISTRICT OF GEORGIA

I, SHANNON R. WELCH, RMR, CRR, Official Court Reporter of the United States District Court, for the Northern District of Georgia, Atlanta Division, do hereby certify that the foregoing 23 pages constitute a true transcript of proceedings had before the said Court, held in the City of Atlanta, Georgia, in the matter therein stated.

In testimony whereof, I hereunto set my hand on this, the 13th day of January, 2023.



SHANNON R. WELCH, RMR, CRR
OFFICIAL COURT REPORTER
UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT
OFFICIAL CERTIFIED TRANSCRIPT